

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**TRAVELERS CASUALTY AND SURETY COMPANY as
Administrator for RELIANCE INSURANCE COMPANY,**

**Civil Action No.:
07-CV-6915 (DLC)**

ECF CASE

Plaintiff,

vs.

**THE DORMITORY AUTHORITY OF THE STATE OF NEW
YORK, TDX CONSTRUCTION CORP. and KOHN,
PETERSON, FOX & ASSOCIATES, P.C.,**

Defendants.

**DORMITORY AUTHORITY OF THE STATE OF NEW
YORK, and TDX CONSTRUCTION CORP.,**

Third-Party Plaintiff,

vs.

TRATAROS CONSTRUCTION, INC.

Third-Party Defendants

**TRATAROS CONSTRUCTION, INC. and TRAVELERS
CASUALTY AND SURETY COMPANY,**

Fourth-Party Plaintiffs,

vs.

**CAROLINA CASUALTY INSURANCE COMPANY,
BARTEC INDUSTRIES INC., DAYTON SUPERIOR
SPECIALTY CHEMICAL CORP., a/k/a DAYTON
SUPERIOR CORPORATION; SPECIALTY
CONSTRCUTION BRANDS INC. t/a TEC, KEMPER
CASAULTY INSURANCE COMPANY d/b/a KEMPER
INSURANCE COMPANY, GREAT AMERICAN
INSURANCE COMPANY, NATIONAL UNION FIRE
INSURANCE COMPANY OF PITTSBURGH, PA.,
UNITED STATES FIRE INSURANCE COMPANY,**

**ALLIED WORLD ASSURANCE COMPANY (U.S.)
INC. f/k/a COMMERCIAL UNDERWRITERS INSURANCE
COMPANY, ZURICH AMERICAN INSURANCE COMPANY
d/b/a ZURICH INSURANCE COMPANY, OHIO CASUALTY
INSURANCE COMPANY d/b/a OHIO CASUALTY GROUP,
HARLEYSVILLE MUTUAL INSURANCE COMPANY (a/k/a
HARLEYSVILLE INSURANCE COMPANY), JOHN DOES 1-20,
and XYZ CORPS. 1-12,**

Fourth Party Defendants.

KOHN PEDERSEN FOX ASSOCIATES, P.C.

Third-Party Plaintiff,

-against-

**WEIDLINGER ASSOCIATES CONSULTING ENGINEERS, P.C.,
CASTRO-BLANCO PISCIONERI AND ASSOCIATES,
ARCHITECTS, P.C., ARQUITECTONIA NEW YORK, P.C.,
COSENTINI ASSOCIATES, INC., CERMAK, PETERKA
PETERSEN, INC., JORDAN PANEL SYSTEMS CORP.,
TRATAROS CONSTRUCTION, INC. AND LBL SKYSYSTEMS
(U.S.A.), INC.**

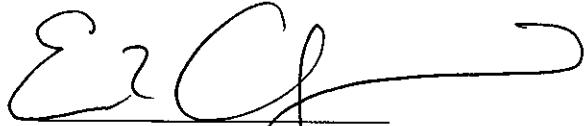
Third-Party Defendants.

NOTICE OF MOTION FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that upon the affirmation of Erika C. Aljens dated August 7, 2008, the affidavit of Jeffrey Leung dated August 7, 2008, and the exhibits annexed thereto, the Statement of Undisputed Material Facts Pursuant to Local Rule 56.1, and upon the accompanying Memorandum of Law, fourth-party defendant National Union Fire Insurance Company of Pittsburgh, Pa (“National Union”), by and through its attorneys, will move this Court, before the Honorable Denise L. Cote, at the United States Courthouse at 500 Pearl Street, New York, New York, on a date to be determined by the Court, for an Order pursuant to Fed. R. Civ. P. Rule 56 granting summary judgment

dismissing the fourth-party complaint against National Union pursuant to Fed. R. Civ. P., Rule 56 and awarding such other and further relief as the Court deems just and necessary.

New York, New York
August 7, 2008

A handwritten signature in black ink, appearing to read 'Erika C. Aljens', with a long horizontal flourish extending to the right.

Erika C. Aljens (EA-9781)
Law Offices of Green & Lavelle
12 MetroTech Center
28th Floor
Brooklyn, New York 11201
Tel: (718) 250-1400
***Attorneys for Fourth-Party Defendant
National Union Fire Insurance Company of
Pittsburgh, Pa***

To:

All Counsel on the Attached Service List

TRAVELERS CAS. & SUR. V. DORMITORY AUTH. *et al.*

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**Robert Mark Wasko, Esq.
Torre, Lentz, Gamell, Gary & Rittmaster, LLP
100 Jericho Quadrangle, Suite 309
Jericho, New York 11753
Tel: 516-240-8900
Fax: 516-240-8950
*Attorneys for 4th Pty Defendant,
Carolina Casualty Ins. Co.***

**Jeremy Platek, Esq.
O'Connor Redd, Gollihue & Sklarin, LLP
200 Mamaroneck Avenue
New York New York 10601
Tel: 914-686-1700, ext. 239
Fax: 914-328-3184
*Attorneys for 4th Pty Defendant,
Bartec Industries, Inc.***

**Joel M. Simon, Esq.
Smith, Mazure, Director, Wilkens,
Youngman & Yagerman, P.C.
111 John Street, 20th Floor
New York, New York 10038
(212) 964-7400
*Attorneys for North American Specialty Ins. and
Allied World***

**Robert R. Brooks-Rigolosi, Esq.
Segal McCambridge Singer & Mahoney, Ltd.
830 Third Avenue, Suite 400
New York, New York 10022
Tel: 212-651-7500
Fax: 212-651-7499
*Attorneys for 4th Pty Defendant,
Specialty Construction Brands, Inc. t/a TEC***

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**Steven Alan Coploff, Esq.
Steinberg & Cavaliere, LLP
50 Main Street
White Plains, New York 10606**

-and-

**David A. Larson, Esq.
Bollinger Ruberry & Garvey
500 West Madison Street, 23rd Floor
Chicago, Illinois 60661
Tel: 312-466-8000
Fax: 312-466-8001
*Attorneys for Kemper***

**Donald G. Sweetman, Esq.
Gennet, Kallmann, Antin & Robinson, P.C.
6 Campus Drive
Parsippany, New Jersey 07054
Tel: 973-285-1919
Fax: 973-285-1177
*Attorneys for American Alliance Ins. Co.; Great American Ins. Co.;
American National Fire Ins. Co. and Great American Ins. Co. of New York***

**John DeFilippis, Esq.
Carroll, McNulty & Kull
570 Lexington Avenue, 10th Floor
New York, New York 10022
Tel: 212-252-0004
Fax: 212-252-0444
*Attorneys for United States Fire Ins. Co.***

**Diana E. Goldberg, Esq.
Mound Cotton Wollan & Greengrass
One Battery Park Plaza, 9th Floor
New York, New York 10004
Tel: 212-804-4200
Fax: 212-344-8066
*Attorneys for Commercial Underwriters***

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**S. Dwight Stephens, Esq.
Melito & Adolfsen, P.C.
233 Broadway
New York, New York 10279
Tel: 212-238-8900
Fax: 212-238-8999
*Attorneys for Zurich***

**Henry G. Morgan, Esq.
Morgan, Melhuish, Monagan, *et al.*
651 West Mount Pleasant Avenue, Suite 200
Livingston, New Jersey 07039
Tel: 973-994-2500
Fax: 973-994-3375
*Attorneys for Ohio Casualty***

**Marisa Slaten, Esq.
Lane J. Kalik, Esq.
Riker, Danzig, Scherer, Hyland & Perretti, LLP
Headquarters Plaza
One Speedwell Avenue
Morristown, New Jersey 07960
Tel: 973-451-3862
Fax: 973-451-3714
*Attorneys for Harleysville***

**David Craig Dreifuss, Esq.
Dreifuss, Bonacci & Parker, LLP
Five Penn Plaza, 36th Floor
New York, New York 10001
Tel: 212-835-1514**

**Joanne M. Bonacci, Esq.
Eli John Rogers, Esq.
Dreifuss, Bonacci & Parker, LLP
26 Columbia Turnpike, North Entrance
Florham Park, New Jersey 07932**

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**Timothy B. Froessel, Esq.
Holland & Knight, LLP
195 Broadway
New York, New York 10007**

**Stephen Shapiro, Esq.
2099 Pennsylvania Avenue, N.W.
Washington, D.C. 20006**

**David Abramowitz, Esq.
Zetlin & DeChiara, LLP
801 Second Avenue
New York, New York 10017**

**Louis J. Dennis, Esq.
Zetlin & DeChiara, LLP
801 Second Avenue
New York, New York 10017**

**Joseph DeDonato, Esq.
Morgan, Melhuish, Monagan, *et al.*
39 Broadway, 35th Floor
New York, New York 10006**

**Christian H. Gannon, Esq.
Segal McCambridge, *et al.*
Sears Tower, 233 S. Wacker Drive, Ste. 5500
Chicago, Illinois 60606
Tel: 212-651-7500
Fax: 212-651-7499**

**Vincent J. Zichello, Esq.
Zichello & McIntyre, LLP
420 Lexington Avenue, Suite 2800
New York, New York 10170
Tel: 212-972-5560
Fax: 212-972-5569**

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**Matthew J. McDermott, Esq.
Suzin L. Raso, Esq.
Goldberg Segalla, LLP
170 Hamilton Avenue, Suite 203
White Plains, New York 10601
Tel: 914-798-5400
Fax: 914-798-5401
*Attorneys for 4th Pty Defendant,
Dayton Superior Specialty Chemical Corp., a/k/a Dayton Superior Corp.***

**Michael Scott Miller, Esq.
Tompkins, McGuire, Wachenfeld & Barry
Four Gateway Center
100 Mulberry Street
Newark, New Jersey 07012
Tel: 973-622-3000
Fax: 973-623-7780**

**Martin A. Schwartzberg, Esq.
L'Abbate, Balkin, Colavita & Contini, LLP
1001 Franklin Avenue, 3rd Floor
Garden City, New York 11530
Tel: 516-294-8844
*Attorneys for 3rd Pty Defendant, Consentini Associates, Inc.***

**Stephen P. Schreckinger, Esq.
Gocik, Byrne & O'Neill, LLP
11 Broadway, Suite 1560
New York, New York 10004-1314
Tel: 212-422-9424
*Attorneys for 3rd Pty Defendant, Weidlinger New York, P.C.,
Arquitectonica New York, P.C., and Castro-Blanco Piscioneri***

**Stephen B. Shapiro, Esq.
Holland & Knight, LLP
195 Broadway
New York, New York 10007
*Attorneys for Defendant, Dormitory Authority of the State of New York***

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**Gary L. Rubin, Esq.
Mazur, Carp & Rubin, P.C.
1250 Broadway, 38th Floor
New York, New York 10001
*Attorneys for Defendant, TDX Construction Corp.***

**Paul A. Winick, Esq.
Richard P. Dyer, Esq.
Thelen Reid & Priest, LLP
875 Third Avenue
New York, New York 10022
*Attorneys for LBL Skysystems (U.S.A.), Inc.***

**Terrence J. O'Connor, Esq.
O'Connor & Golder
24 North Washington
Port Washington, New York 11050
*Attorneys for Jordan Panel Systems Corp.***

**Marc S. Krieg, Esq.
Krieg & Associates, P.C.
5 Heather Court
Dix Hills, New York 11746
*Attorneys for Hunsaker & Assoc., & Entek Engineering***

**Christopher A. Albanese, Esq.
Milber, Macros, Plousadis & Seiden, LLP
3 Barker Avenue, 6th Floor
White Plains, New York 10601
*Attorneys for Vollmer Associates, LLP***

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Anna Lee Joan Cataldo-Barile, Esq.
Sinnretch, Safar & Kosakoff, LLP
320 Carleton Avenue, Suite 3200
Central Islip, New York 11722
Attorneys for John A. Van Deusen & Associates, Inc.

Cheryl L. Davis, Esq.
Menaker & Herrmann, LLP
10 East 40th Street, 43rd Floor
New York, New York 10006
Attorneys for Shen Milsom & Wilke, Inc.

Barry Jacobs, Esq.
Abrams, Gorelick, Friedman & Jacobson, P.C.
One Battery Park Plaza, 4th Floor
New York, New York 10004
Attorneys for Warfel Schrager Architectural Lightning, LLC

Fe D. Tesoro, Esq.
Law Office of Vincent P. Crisci, Esq.
17 State Street, 8th Floor
New York, New York 10004
Attorneys for Poulin & Morris, Inc.

Michael P. Catina, Esq.
Wilson, Elser, *et al.*
3 Gannett Drive
White Plains, New York 10604
Attorneys for Theatre Projects Consultants